



STATE OF MONTANA

Employee Profile

January 2010

OFFICE OF THE GOVERNOR
STATE OF MONTANA

BRIAN SCHWEITZER
GOVERNOR



JOHN BOHLINGER
LT. GOVERNOR

January 2010

I am pleased to introduce this year's State of Montana Employee Profile. The Employee Profile provides information on the Equal Employment Opportunity program, workforce demographics, and other useful information about state employees in the executive branch.

I rely on the State of Montana's workforce to ensure state government is managed in a fiscally prudent manner. I will continue to challenge state employees to partner with me in efforts, such as my 20 X 10 Initiative to reduce the state's energy consumption. Any effort I make to improve the efficiency and effectiveness of state government depends on the partnership of every state worker.

Montana's state employees are critical to the success of our state as a whole. They provide for public safety, protect and conserve our natural resources, manage and deliver critical health and human services, and ensure the infrastructure of our great state is solid and sustainable. I am proud to include myself in the ranks of Montana state employees.

I hope you find the Employee Profile of value. We encourage you to pass along any questions to the State Human Resources Division of the Department of Administration at 444-3871.

Sincerely,

A handwritten signature in blue ink, appearing to read "B. Schweitzer", with a stylized flourish at the end.

BRIAN SCHWEITZER
Governor

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Introduction

The State Human Resources Division publishes the “Employee Profile” annually. The profile reports information on the executive branch workforce excluding elected officials and their exempt personal staff, university system employees, and employees of the Montana State Fund.

Montana state government’s ability to meet its mission, vision and goals depends on the quality of the workforce. The State Human Resources Division, Department of Administration, functions to assist the State of Montana in becoming an “employer of choice” - a competitive recruiter and long-term employer of successful employees.

For the second year, we included a more in-depth look at the executive branch workforce. The 2009 annual data referenced is from November 2008 to November 2009. The report includes information on employee demographics, benefits, leave use and accrual, and compensation. We have also provided diversity statistics and information about the state government's organized workers.

We have organized this report into chapters. Each chapter includes a summary of the information contained in the detailed reports, charts, and graphs that follow.

For additional information or questions concerning this report, please contact Linda Davis at (406) 444-3796, e-mail ldavis@mt.gov, Brent Reinhardt (406) 444-3852, email breinhardt@mt.gov, or mail to:

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Chapter 1 – Montana’s Executive Branch Employees

There are 11,698 regular full-time and part-time employees in the executive branch. This chapter provides information on the average employee, workforce occupational groups, generational breakdown, and number of employees and payroll by county. Also included is the employee turnover and hire rates, termination statistics, and a recruitment and retention forecast.

The average employee is 47 years old, has worked for state government 12 years, and earns \$42,457 annually. The average age has remained relatively the same over the past four years while the years of service has increased slightly over the past year.

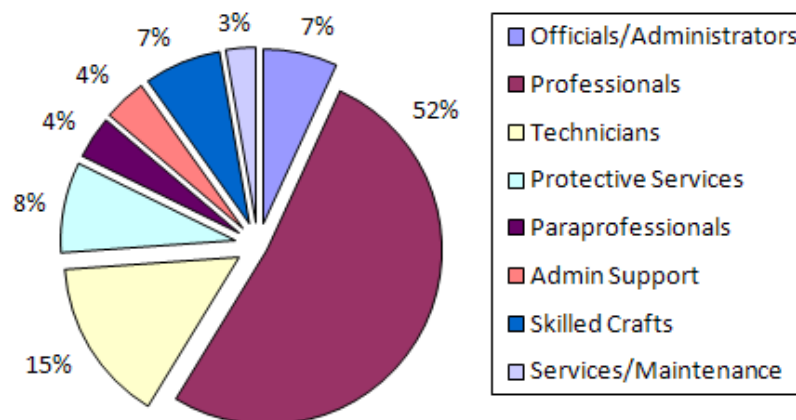
Over half of the employees hold positions requiring a college degree or equivalent education and experience.¹ In contrast, only about 18 percent of Montana’s jobs require a bachelor’s degree or higher level of education.²

Occupational Groups

Figure 1 illustrates the breakdown of the executive branch workforce by occupational group. Professional-level positions once again constitute the largest occupational group, representing 52 percent of the workforce. This group holds positions requiring a minimum of a college degree or equivalent education and experience.

Professionals, technicians and protective services combine to represent 75 percent of the work force. The remaining 25 percent of the workforce is composed of skilled crafts, officials and administrators, administrative support, paraprofessionals, and service and maintenance workers.

Figure 1
Percent of Employees by Occupation
November 2009



Source: Department of Administration, State Human Resources Division, Statewide Accounting, Budgeting and Human Resources System (SABHRS)

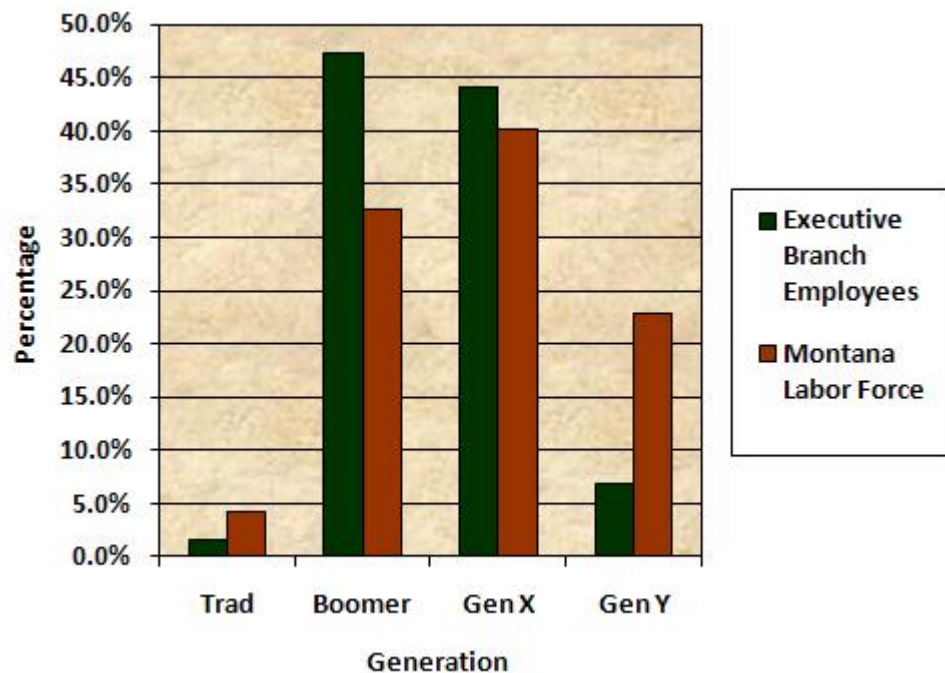
¹ Department of Administration, State Human Resources Division, Human Resources Policy & Programs Bureau.

² Department of Labor and Industry, Research and Analysis Bureau.

Generational Makeup

The generational makeup of the executive branch continues to remain concentrated in the baby boomers generation (49-65 years of age) and generation X (29-48 years of age) at 47 percent and 44 percent respectively. Generation Y (16-28 years of age) represents 6.9 percent of state government's workforce. In contrast, 24 percent of Montana's labor force is generation Y.³ Figure 2 illustrates the comparison between the executive branch and the Montana labor force.

Figure 2
Generations of Executive Branch Employees
Compared to the Montana Labor Force
November 2009



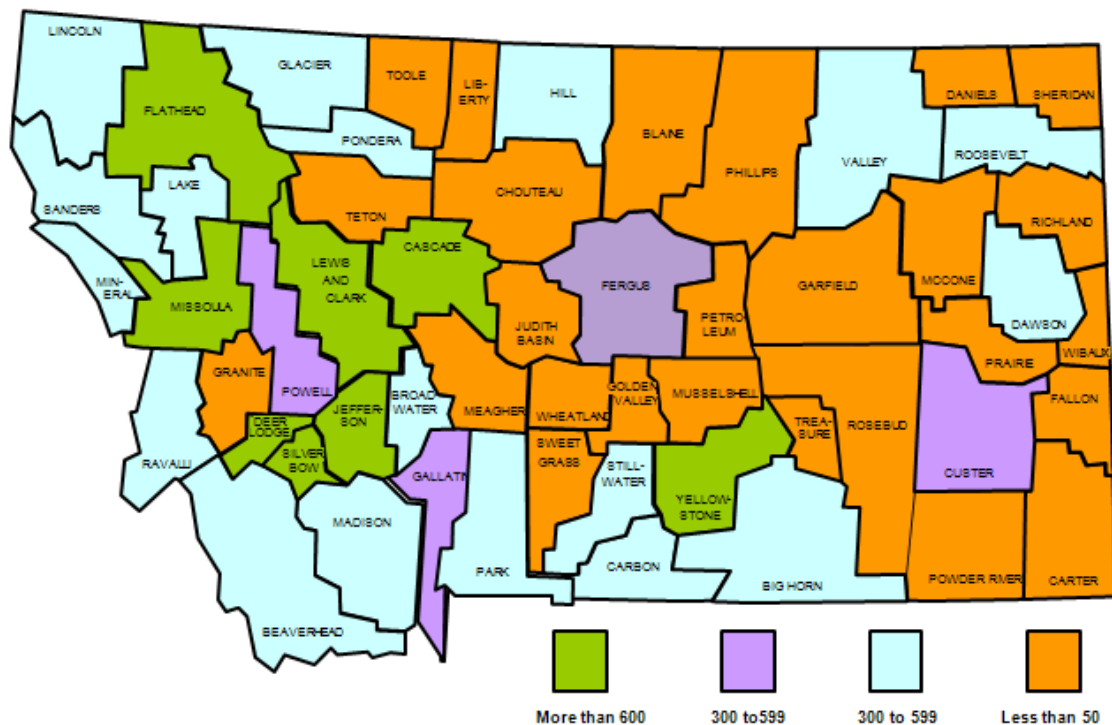
Source: Department of Administration, State Human Resources Division, Statewide Accounting, Budgeting and Human Resources System (SABHRS)

³ Department of Labor and Industry, Research and Analysis Bureau.

Counties of Residence

Executive branch employees work and live in every county of Montana. The largest representation is in Lewis and Clark County with 5,262 employees which is 34% of the 15,583 total wage earners. Figure 3 displays the number of employees who live in each county. Figure 4 shows the current number of employees and the total annual payroll dollars for each county from November 2008 to November 2009.

Figure 3
Executive Branch Employees by County of Residence
November 2008 to November 2009



Source: Department of Administration, State Human Resources Division, Statewide Accounting, Budgeting and Human Resources System (SABHRS)

Figure 4
Annual Payroll for Executive Branch Employees
By County of Residence
Payroll for November 2008 to November 2009

County	Resident Employees	Annual Payroll	County	Resident Employees	Annual Payroll
Beaverhead	159	\$4,172,490	McCone	13	\$531,579
Big Horn	58	\$1,986,190	Meagher	24	\$714,095
Blaine	30	\$985,754	Mineral	66	\$2,537,489
Broadwater	139	\$5,515,022	Missoula	873	\$30,381,718
Carbon	67	\$1,849,529	Musselshell	36	\$1,276,330
Carter	11	\$52,497	Park	100	\$3,152,154
Cascade	784	\$27,165,479	Petroleum	6	\$112,836
Chouteau	35	\$1,092,595	Phillips	23	\$703,196
Custer	346	\$12,458,761	Pondera	61	\$2,276,224
Daniels	12	\$354,321	Powder River	18	\$631,632
Dawson	140	\$5,166,789	Powell	507	\$17,195,712
Deer Lodge	918	\$26,261,076	Prairie	16	\$414,810
Fallon	19	\$588,191	Ravalli	261	\$7,214,243
Fergus	347	\$8,487,500	Richland	34	\$1,175,464
Flathead	831	\$24,713,800	Roosevelt	97	\$3,492,064
Gallatin	560	\$15,463,378	Rosebud	43	\$1,455,028
Garfield	15	\$437,691	Sanders	76	\$2,600,052
Glacier	61	\$2,147,998	Sheridan	20	\$707,367
Golden Valley	12	\$300,567	Silver Bow	820	\$28,076,312
Granite	40	\$1,454,644	Stillwater	59	\$1,582,786
Hill	106	\$3,903,161	Sweet Grass	33	\$1,187,635
Jefferson	873	\$33,033,936	Teton	45	\$1,591,793
Judith Basin	23	\$648,340	Toole	35	\$1,525,967
Lake	149	\$4,558,912	Treasure	13	\$349,787
Lewis And Clark	5262	\$229,949,899	Valley	117	\$4,020,261
Liberty	9	\$383,755	Wheatland	10	\$432,055
Lincoln	136	\$4,235,299	Wibaux	8	\$365,160
Madison	94	\$2,422,976	Yellowstone	933	\$34,081,157

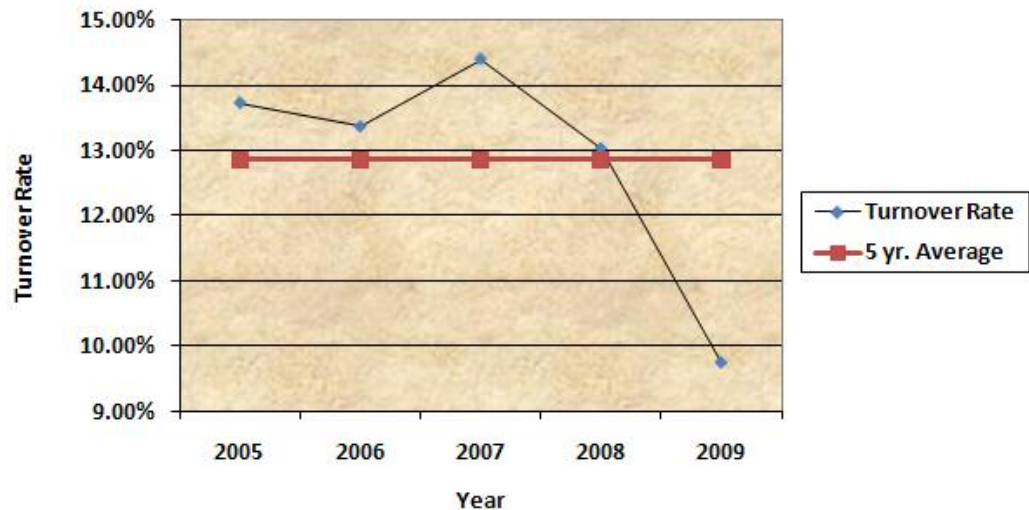
Source: Department of Administration, State Human Resources Division, Statewide Accounting, Budgeting and Human Resources System (SABHRS)

Employee Turnover

The turnover rate is the number of employees who terminated or transferred to other agencies divided by the current executive branch workforce. The total turnover rate includes all employees who left the executive branch.

Employee turnover for 2009 decreased four percent over the previous five years to 9.8 percent. This is likely because of the national economic downturn. Figure 5 illustrates turnover data for the past few calendar years. The 2009 data is from November 2008 to November 2009. For detailed turnover data by agency, see Appendix C.

Figure 5
Turnover Rate
By Year

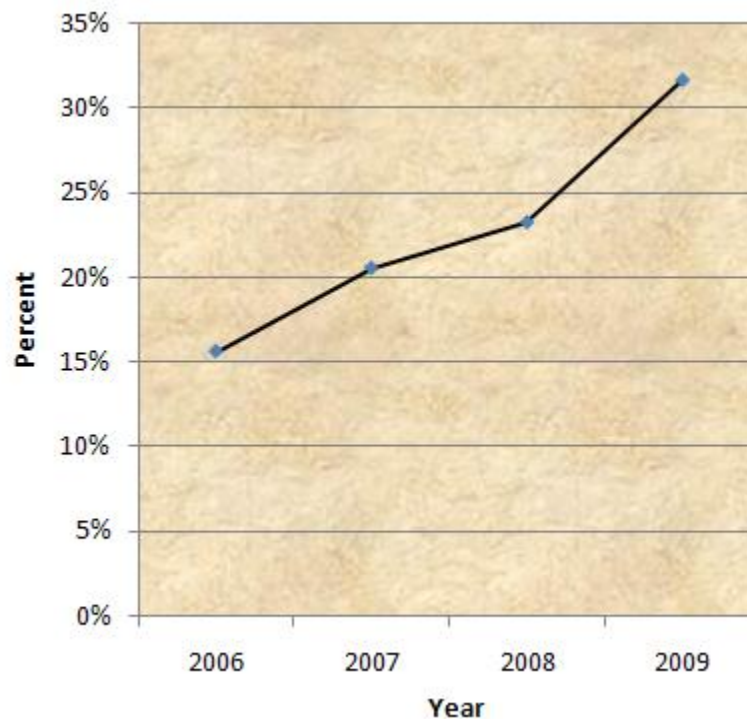


Source: Department of Administration, State Human Resources Division, Statewide Accounting, Budgeting and Human Resources System (SABHRS)

Terminations and Transfers

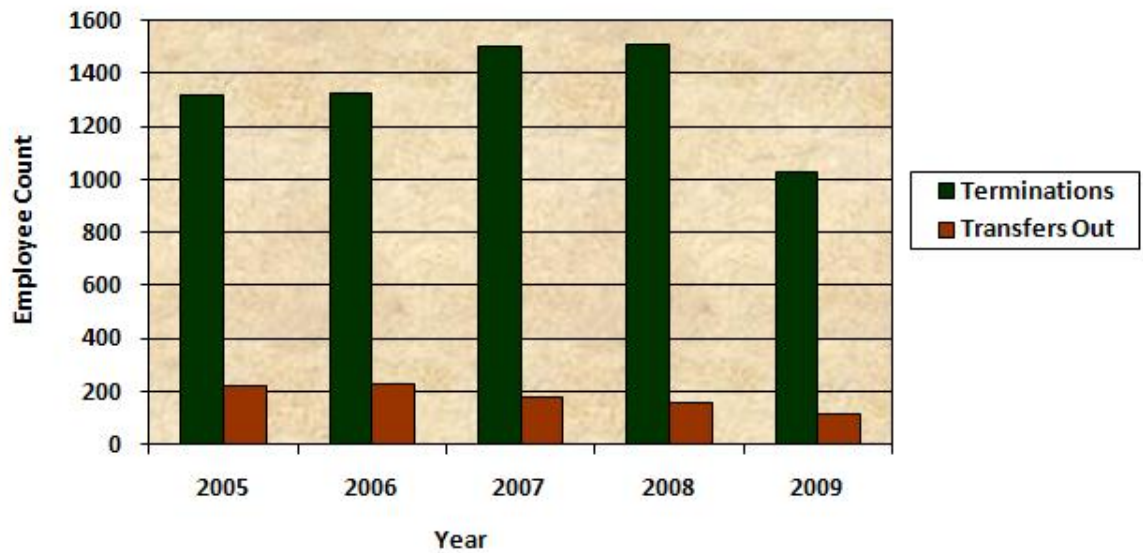
The number of employees leaving state government in 2009 decreased slightly from previous years. Retirees leaving state government have remained consistent. The number of employees leaving state government with less than two years of service increased steadily since 2006. Figure 6 illustrates terminations within the first two years of service for the past four years. Figures 7 and 8 illustrate termination and retiree data for the past five calendar years. The 2009 data is from November 2008 to November 2009.

Figure 6
Terminations with 0-2 Years of Service (YOS)
By Year



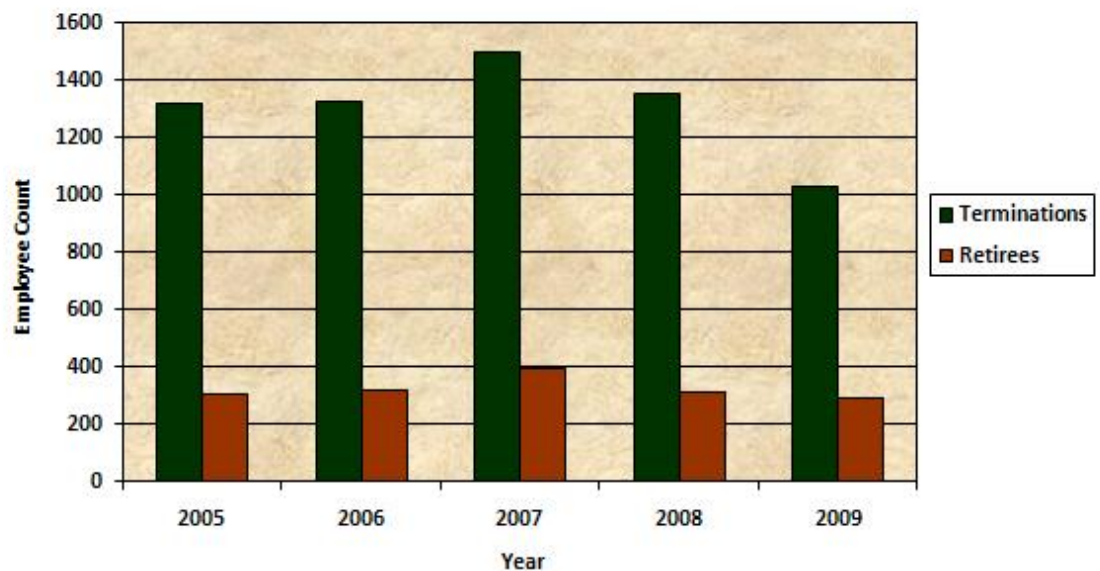
Source: Department of Administration, State Human Resources Division, Statewide Accounting, Budgeting and Human Resources System (SABHRS)

Figure 7
Terminations and Transfers Out
By Year



Source: Department of Administration, State Human Resources Division, Statewide Accounting, Budgeting and Human Resources System (SABHRS)

Figure 8
Retirees Compared to Total Terminations
By Year



Source: Department of Administration, State Human Resources Division, Statewide Accounting, Budgeting and Human Resources System (SABHRS)

Agency Transfers

The number of employees transferring between agencies is low compared to the total workforce. Approximately 1% of the total workforce transferred from one state agency to another in 2009. The Department of Labor and Industry and the Department of Administration gained the highest net number of employees transferring (gains) into their agencies with nine and eight respectively. Department of Public Health and Human Services had the most net employee transfers (losses) to other agencies, with ten. No occupational trend was identified. See figure 9 below.

Figure 9
Transfers To and From Executive Branch Agencies
November 2008 to November 2009

Agency	Transfers To	Transfers From	NET Gain/Loss
Administration	20	12	8
Agriculture	3	3	0
Commerce	4	3	1
Commissioner/Higher Education	0	5	-5
Consumer Counsel	1	0	1
Department of Corrections	10	6	4
Environmental Quality	6	2	4
Fish, Wildlife, & Parks	3	5	-2
Governor's Office	2	1	1
Judiciary	3	5	-2
Justice	9	9	0
Labor & Industry	21	12	9
Legislative Branch	1	5	-4
Livestock	0	1	-1
Military Affairs	3	1	2
Montana Historical Society	0	2	-2
Montana State Library	1	0	1
Natural Resources & Conservation	6	7	-1
Office of Public Instruction	4	0	4
Office of the Public Defender	3	2	1
Public Health & Human Services	12	22	-10
Revenue	4	8	-4
Secretary of State	1	5	-4
State Auditor	1	1	0
State Fund	3	2	1
Transportation	8	10	-2
TOTAL	129	129	

Source: Department of Administration, State Human Resources Division, Statewide Accounting, Budgeting and Human Resources System (SABHRS)

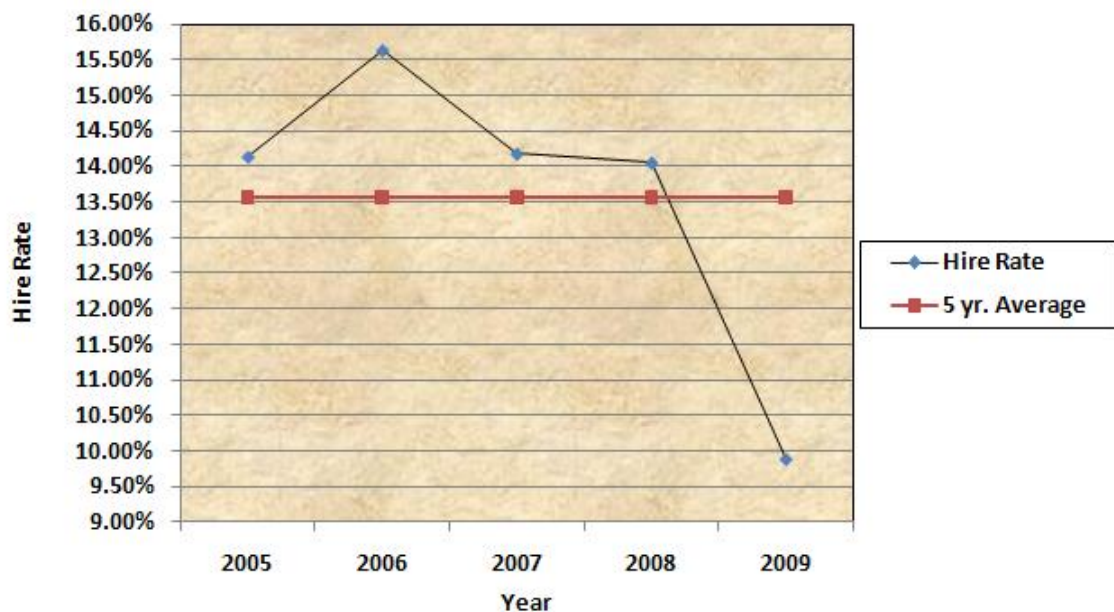
Hire Rates

The total hire rate includes all employees hired in the year by the executive branch agencies, divided by the total workforce. This includes:

- new hires,
- rehires, and
- transfers from other state agencies.

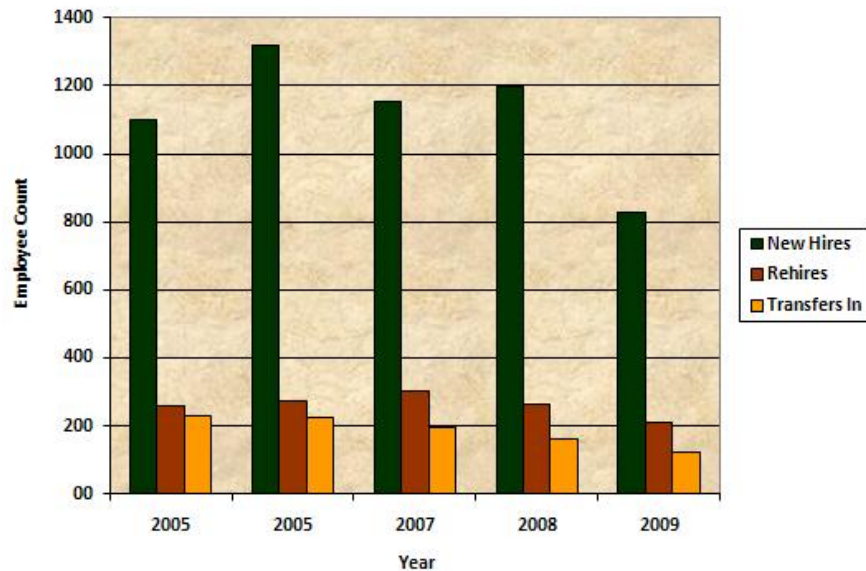
The total hire rate for 2009 was 9.9 percent. This is a four percent decrease from 2008 and is most likely because of the downturn in the economy. The average hire rate for the past five calendar years was 13.5 percent. Figures 10 and 11 illustrate the hire rate and the total number of hires, rehires, and transfers in for the past few calendar years. The 2009 data is from November 2008 to November 2009.

Figure 10
Hire Rate by Year



Source: Department of Administration, State Human Resources Division, Statewide Accounting, Budgeting and Human Resources System (SABHRS)

Figure 11
New Hires, Rehires, Transfers In
By Year



Source: Department of Administration, State Human Resources Division, Statewide Accounting, Budgeting and Human Resources System (SABHRS)

Recruitment and Retention Forecast

The Montana Department of Labor and Industry predicts 5,230 more jobs will be created in Montana every year between 2008 and 2018. The total gain is expected at 52,320 jobs over the 10-year time frame. Job growth during the next few years is expected to be slow, with only 1,470 jobs added between 2008 and 2010. About 90 percent of those jobs will be in the service sector.⁴ Examples of service occupations include:

- administrative workers
- maintenance workers
- health care/social service workers
- lawyers
- computer services
- education workers

A national trend expected to impact Montana in the coming years is the aging workforce which will result in a labor shortage. According to the American Community Survey, 13.9 percent of Montanans are 65 years old or older, compared to 12.6 percent nationally. Montana's traditional working age population (those aged 18 to 65) is projected to begin declining in 2014 according to the U.S. Census Bureau. While it is likely some workers will put off retirement, start work earlier than 18, and increase their participation rate during their working years (spending more time in the labor force), a declining working-age population will inevitably lead to tighter labor markets, difficulty finding workers, and the need to provide higher compensation to attract workers to the state workforce.

⁴Department of Labor and Industry, Research and Analysis Bureau.

Chapter 2 – Montana’s Executive Branch Employee Pay

This chapter covers the two primary pay plans in the executive branch; the broadband pay plan and the blue-collar pay plan. There are 11,043 employees covered under the broadband pay plan. The blue-collar pay plan covers 655 employees.

Active Pay Plans for Executive Branch Employees

The Broadband Pay Plan - The broadband pay plan became the primary pay plan July 1, 2007. It is an enterprise-wide plan allowing state agencies flexibility to develop their own pay plan rules within broad statutory and policy parameters and within authorized funding levels. Employees in this plan earned an average annual base salary of \$42,676 in 2009. This is a \$27 decrease from the average annual base salary of \$42,703 in 2008.

The Blue-Collar Pay Plan - The blue-collar pay plan is a single rate plan for 655 skilled trade and craft positions (heavy equipment operators, laborers, carpenters, painters, etc.) in collective bargaining units. All aspects of the plan are determined through collective bargaining. The plan consists of 14 grades (no steps), each with a corresponding hourly wage. Employees advance to higher grades by successfully bidding for jobs, or completing experiential and testing steps in a career ladder. The plan was approved by the legislature in 1979 and is codified at 2-18-315, MCA. In 2009, the average full-time employee covered under the blue-collar plan received a base annual income of \$38,768. This is a \$50 increase from the average annual base salary of \$38,718 in 2008.

Longevity

Eligible employees covered under the two pay plans receive a longevity allowance defined under 2-18-304, MCA. State law provides for longevity increments of 1.5 to 2 percent of the employee’s base salary for each continuous five years of state service. Figure 12 shows longevity pay increments outlined in statute, the cumulative total multiplier, and the number of employees receiving each increment.

Figure 12
Longevity Pay Increments and
Employees Receiving Longevity Pay
November 2009

Longevity Increments	Years of Service	Percent	Total	2008 Employees	2009 Employees	Percent Change
First Increment	5	1.50%	1.50%	2187	2284	4.25%
Second Increment	10	2.00%	3.50%	1459	1583	7.83%
Third Increment	15	2.00%	5.50%	1309	1417	7.62%
Fourth Increment	20	2.00%	7.50%	975	1170	16.67%
Fifth Increment	25	1.50%	9.00%	638	831	23.23%
Sixth Increment	30	1.50%	10.50%	355	530	33.02%
Seventh Increment	35	1.50%	12.00%	72	139	48.20%
Eighth Increment	40	1.50%	13.50%	8	23	65.22%
Ninth Increment	45	1.50%	15.00%	3	3	0.00%
Tenth Increment	50	1.50%	16.50%	1	0	-100.00%
Totals				7007	7980	12.19%

Source: Department of Administration, State Human Resources Division, Statewide Accounting, Budgeting and Human Resources System (SABHRS)

Chapter 3 – Benefits

This chapter describes the major components of the state's benefit package including membership in a group benefit and retirement plan. The chapter also includes information on the statutory holiday, vacation, and sick leave benefits provided to all Montana public employees.

Group Benefits

The state's benefit plan offers a comprehensive package:

- four medical plan choices, dental, and prescription drug coverage;
- group term life insurance coverage;
- optional coverage for vision, long-term care, and long-term disability coverage;
- employee assistance programs;
- wellness programs and clinical management programs;
- availability of a cafeteria plan allowing for tax-advantaged purchase of these benefits; and
- participation in medical or dependent care flexible spending accounts.

Montana state government has offered a group benefits package since 1979⁵. The Department of Administration, in consultation with an advisory council, is responsible for designing the group benefits package and its operations (2-18-801, MCA).

The employer contribution to the group benefit package is part of the economic package negotiated during collective bargaining. The legislature then sets the employer contribution by statute (2-18-703, MCA). The amount is the same for every employee regardless of the family members covered. Beginning in 2010, the state will contribute \$679 per month, an increase of \$53 per month from 2009.

Retirees do not receive a contribution from the state. Medicare eligible and non-Medicare eligible retirees pay the full premium for their coverage through the state plan.

Over the past 20 years, the state's contribution, the individual deductible, and the cost of family coverage under the state's traditional plan have risen at comparable rates. The cost of rising health care has been shared between Montana state government, participating employees, and the employees and family members who use the benefits.

⁵Prior to 1979, agencies individually offered group benefits to their employees.

Paid Leave

Annual Leave - Annual leave is also known as vacation leave.

Montana's executive branch employees earn vacation leave at the rate of 15 days per year or more, depending on their total years of public employment (2-18-611, MCA). The average employee in 2009 had a balance of 19 days vacation and took 16 days vacation.

Vacation leave may be accumulated up to a total not exceeding two times the maximum number of days earned annually. Upon termination, employees are entitled to a lump-sum payment for their unused vacation leave based on the employee's salary at the time of termination. Figure 13 shows the annualized leave earned based on years of employment.

Figure 13
Annual Rate of Earning Vacation Leave Credits
Public Employees

Years of Employment	Days of Credit Earned
1 day through 10 years	15
10 years through 15 years	18
15 years through 20 years	21
20 years on	24

Source: 2-18-612, MCA

Sick Leave –Full-time employees earn 12 days of sick leave per year. Part-time employees earn sick leave on a prorated basis. In 2009, the average executive branch employee had a balance of 37 sick days leave and used 9 days of sick leave.

All employees are eligible to earn sick leave from the first day of employment; however, they may not use the credits until they have been continuously employed for 90 days. There is no restriction on the number of sick leave credits an employee can earn. Upon termination, an employee is entitled to a lump-sum payment equal to one-fourth of the pay attributed to sick leave credits based on the employee's salary at the time of termination.

Employees may receive sick leave credits beyond those accumulated by participating in a sick leave fund or by receiving direct grants of sick leave from other employees. No funds are attached to donated or received sick leave credits. The department employing the recipient of granted sick leave credits must pay the costs associated with the use of the sick leave.

Holiday Leave - Executive branch employees receive 10 paid holidays in odd-numbered years and 11 paid holidays in even-numbered years (1-1-216, MCA). Figure 14 lists these holidays.

Figure 14
Holidays for Public Employees

Holiday	Observed
New Year's Day	January 1
Martin Luther King Jr. Day	Third Monday in January
Presidents Day	Third Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Columbus Day	Second Monday in October
Veterans' Day	November 11
Thanksgiving Day	Fourth Thursday in November
Christmas Day	December 25
State General Election Day	First Tuesday after first Monday in November of even-numbered years.

State Retirement Plans

Most executive branch employees are enrolled in one of seven retirement plans⁶. The plans and the number of participating state employees are listed below:

- Public Employees Retirement System (PERS) Defined Benefit Retirement Plan (DBRP) - 10,857 participants
- PERS Defined Contribution Retirement Plan (DCRP) – 905 participants
- Highway Patrol Officers Retirement System (HPORS) – 220 participants
- Game Wardens and Peace Officers Retirement System (GWPORS) – 902 participants
- Sheriffs Retirement System (SRS) – 46 participants
- Firefighters' Unified Retirement System (FURS) – 10 participants
- Teachers Retirement System (TRS) 29,964 participants

The Montana Public Employees Retirement Administration (MPERA) administers all but the Teachers Retirement System (TRS).

The Highway Patrol Officers Retirement System, Game Wardens and Peace Officers Retirement System, Sheriffs Retirement System, and Teachers Retirement System are *defined benefit plans*. The Public Employees Retirement System offers employees a one-time choice between participating in the defined benefit retirement plan or the *defined contribution retirement plan*. Retirement benefits under the defined benefit retirement plan are determined by a formula based on a factor, service credits and salary. The employer assumes the risk under the defined benefit retirement plan.

⁶ Montana Public Employee Retirement Administration (MPERA)

In contrast, the benefit of defined contribution retirement plans depends on how much is contributed to the plans. The defined contribution retirement plan does not specify the benefit. The employee invests in selected options offered within the plan and assumes the risk.

Although each of these retirement plans has its own unique features, they have these in common:

- With few exceptions, employee participation is compulsory.
- Both employees and state government must contribute to the plans based on a percentage amount of the employee's salary.
- Each plan provides service, disability, and death benefits.
- Service credits are portable among the plans, permitting credits earned in one system to be transferred to another.
- All plans are subject to periodic actuarial valuations to determine the financial status of the funds.

Deferred Compensation Plan

The State of Montana has offered employees a deferred compensation program, as authorized under Section 457 of the federal Internal Revenue Code, since 1976. Under this program, administered by the Montana Public Employees Retirement Administration, an employee may defer a portion of their salary through pre-tax payroll deductions to be invested in a fixed or variable investment option selected by the Montana Public Employees Retirement Board. The deferred funds and investment earnings are exempt from state and federal taxes until they are paid out to the program participant. Payouts are available only upon termination, retirement, death, or unforeseeable emergency. The state contributes no money on behalf of employees who choose to participate in this plan. On June 30, 2009, 4,340 state employees were participating in the program⁷.

⁷ Montana Public Employee Retirement Administration

Chapter 4 – Diversity

This chapter addresses the race, ethnicity, and gender composition of the executive branch workforce in comparison to the Montana state labor force. The Census 2000 Special Equal Employment Opportunity Tabulation serves as the primary benchmark for comparing the race, ethnicity, and gender composition of an organization's internal workforce to the external labor market by geographic location and job category.⁸ The tabulation did not collect statistics for the number of people with disabilities in the Montana labor force.

Race and Ethnicity

Census 2000 collected demographic data on race and ethnicity according to the minimum standards established by the U.S. Office of Management and Budget (OMB). These standards include a minimum of five racial categories:

- American Indian or Alaska Native (AIAN)
- Asian
- Black or African American
- Native Hawaiian or Other Pacific Islander
- White

Demographic Highlights

The U.S. Department of Labor defines the labor force as all persons age 16 and over who are working or looking for work.

Our demographic data is based on the following categories: white, American Indian or Alaska Native, other minorities, and gender. Overall, there was very little change in executive branch demographics between 2008 and 2009. Ninety-five percent of executive branch employees specified a race. Below are the highlights of the 2009 diversity statistics:

- The percent of women in the executive branch is 3.2 percent higher than the Montana labor force.
- The executive branch employs about 1 percent fewer whites than represented in the Montana labor force.
- There are 3.3 percent fewer American Indian or Alaska Native employees in state government than in the Montana labor force.
- There are 1.1 percent fewer other minority group employees in state government than the Montana labor force.

⁸ U.S. Census Bureau, Census 2000 Special Equal Employment Opportunity Tabulation.

Gender

Since 2005, the representation of women in the executive branch has increased 1.8 percent. There are nearly equal numbers of women and men in the workforce. Seventy-eight percent of the female workforce is in professional and technical occupations. This percentage is 55 percent higher than the Montana labor force. Figure 15 below shows the executive branch by gender.

Figure 15
Executive Branch by Gender
November 2009

EEO Category	Total	Women	Percent	Men	Percent
Officials and Administrators	801	305	38.1%	496	61.9%
Professionals	6070	3204	52.8%	2866	47.2%
Technicians	1772	1335	75.3%	437	24.7%
Protective Service	981	150	15.3%	831	84.7%
Paraprofessionals	460	290	63.0%	170	37.0%
Administrative Support	462	392	84.8%	70	15.2%
Skilled Craft	830	28	3.4%	802	96.6%
Service Maintenance	322	132	41.0%	190	59.0%
Total	11698	5836	49.9%	5862	50.1%

Source: Department of Administration, State Human Resources Division, Statewide Accounting, Budgeting and Human Resources System (SABHRS)

Fifty-six percent of the new hires in 2009 were women. The highest percentage of female hires was in the professional and technical occupations, making up 68 percent of total female hires.

Appendix B includes tables illustrating comparisons of the Montana labor force to the executive branch work force by EEO category based on race and gender. Appendix B also includes executive branch employees hired in 2009, a five-year comparison of the executive branch by race and gender and base pay by race and gender.

Employees with Disabilities

The U.S. Census Bureau 2008 American Community Survey One-year Estimates reports 16 percent of the total Montana civilian non-institutionalized population age 16 and older had a disability. Thirty percent were employed in the Montana labor force.

The number of executive branch employees reporting a disability is 132. Thirty-eight percent did not indicate whether they had a disability. The number of employees who chose not to report a disability is significantly higher than other demographic categories where individuals chose not to report race, gender, or ethnicity.

According to the American Community Survey, six percent, or 2148 of the people with disabilities employed in Montana, work in state government.

Chapter 5 – Collective Bargaining

Sixty-one percent of Montana’s executive branch employees are unionized. The Collective Bargaining for Public Employees Act covers the State of Montana and its political subdivisions. Collective bargaining is a “process whereby employees, as a group, and their employers make offers and counteroffers, in good faith, on the conditions of their employment for the purpose of reaching a mutually acceptable agreement” (39-31-100, MCA).

This chapter provides:

- a history of collective bargaining in Montana state government;
- the process by which mandatory subjects of collective bargaining (wages, hours, fringe benefits, and other conditions of employment) are negotiated; and
- the extent of current unionization in state government.

Process of Collective Bargaining

The Chief of the State Office of Labor Relations is designated by Executive Order No. 40-2008 to represent the State of Montana in collective bargaining with representatives of certified collective bargaining units.

The State Office of Labor Relations begins pay and benefit negotiations with major state employee unions during the yearlong executive planning process preceding each regular legislative session. State labor negotiators meet either simultaneously or jointly with these unions. The goal is to reach a settlement before the governor’s executive budget is submitted.

If the parties are unable to settle before the legislature convenes, negotiations may continue during the session and beyond. Regardless of whether a settlement is reached before the legislative session begins, the budget director must submit a proposed pay plan to the legislative fiscal analyst no later than November 15 in the year preceding a session (17-7-112(4), MCA).

Extent of Unionization

There are 65 collective bargaining units in the executive branch. All collective bargaining agreements cover a two-year period, expiring June 30 in odd-numbered years. The State Office of Labor Relations, negotiates each of these 65 agreements. Members of bargaining units cannot receive a legislatively-authorized pay increase until the bargaining unit has ratified a completely integrated collective bargaining agreement (2-18-303, MCA).

The Montana Public Employees Association (MPEA) is the largest state employee union. Three unions (MPEA, MEA-MFT, and the American Federation of State, County, and Municipal Employees (AFSCME)) represent 85 percent of organized state employees. Figure 16 shows the number of unionized employees by bargaining agent.

Figure 16
Numbers of Unionized State Employees by Bargaining Agent
November 2009

Exclusive Bargaining Agent	Employees Represented	Percent
American Federation of State, County & Municipal Employees (AFSCME)	753	10.64%
Capitol Complex Craft Council	16	0.23%
Great Falls Firefighters Association	21	0.30%
International Association of Machinists (IAM)	11	0.16%
International Brotherhood of Teamsters	9	0.13%
Labor Relations and Appeals Union	9	0.13%
MEA-MFT	2051	28.97%
Montana Developmental Center Craft Council	8	0.11%
Montana State Hospital Craft Council	28	0.40%
Montana Nurses Association	62	0.88%
Montana Public Employees Association (MPEA)	3209	45.32%
Montana State Prison Craft Council	15	0.21%
Public Employees Craft Council (MDT)	862	12.18%
United Food and Commercial Workers	26	0.37%
Total State Employees ---11698	7080	60.52%

Source: Department of Administration, State Human Resources Division, Statewide Accounting, Budgeting and Human Resources System (SABHRS)

The number of employees represented by the bargaining units ranges from nine to 3,209. Membership in the units includes professionals, law enforcement personnel, nurses, clerical, blue collar and craft workers. Some agencies have a majority of employees who are unionized; others have none. Figure 17 shows the number of organized employees by executive branch agency.

Figure 17
Number of Unionized State Employees by Agency
November 2009

Executive Branch Agency	Total Employees	Total Union Employees	Percent Union
Administration	546	56	10.3%
Agriculture	94	64	68.1%
Board of Public Education	3	0	0.0%
Commerce	182	0	0.0%
Department of Corrections	1318	903	68.5%
Environmental Quality	431	288	66.8%
Fish, Wildlife, & Parks	637	200	31.4%
Governor's Office	34	0	0.0%
Labor & Industry	760	470	61.8%
Livestock	136	0	0.0%
Military Affairs	207	77	37.2%
Montana Arts Council	12	0	0.0%
Montana Historical Society	62	42	67.7%
Montana State Library	34	0	0.0%
Natural Resources & Conservation	497	12	2.4%
Office of Public Instruction	158	141	89.2%
Office of the Public Defender	185	145	78.4%
Political Practices	4	0	0.0%
Public Health & Human Services	2853	2151	75.4%
Public Service Commission	30	0	0.0%
Revenue	616	478	77.6%
School for Deaf & Blind	45	29	64.4%
Secretary of State	48	0	0.0%
State Auditor	63	0	0.0%
Transportation	1999	1678	83.9%
TOTAL	11698	7080	60.5%

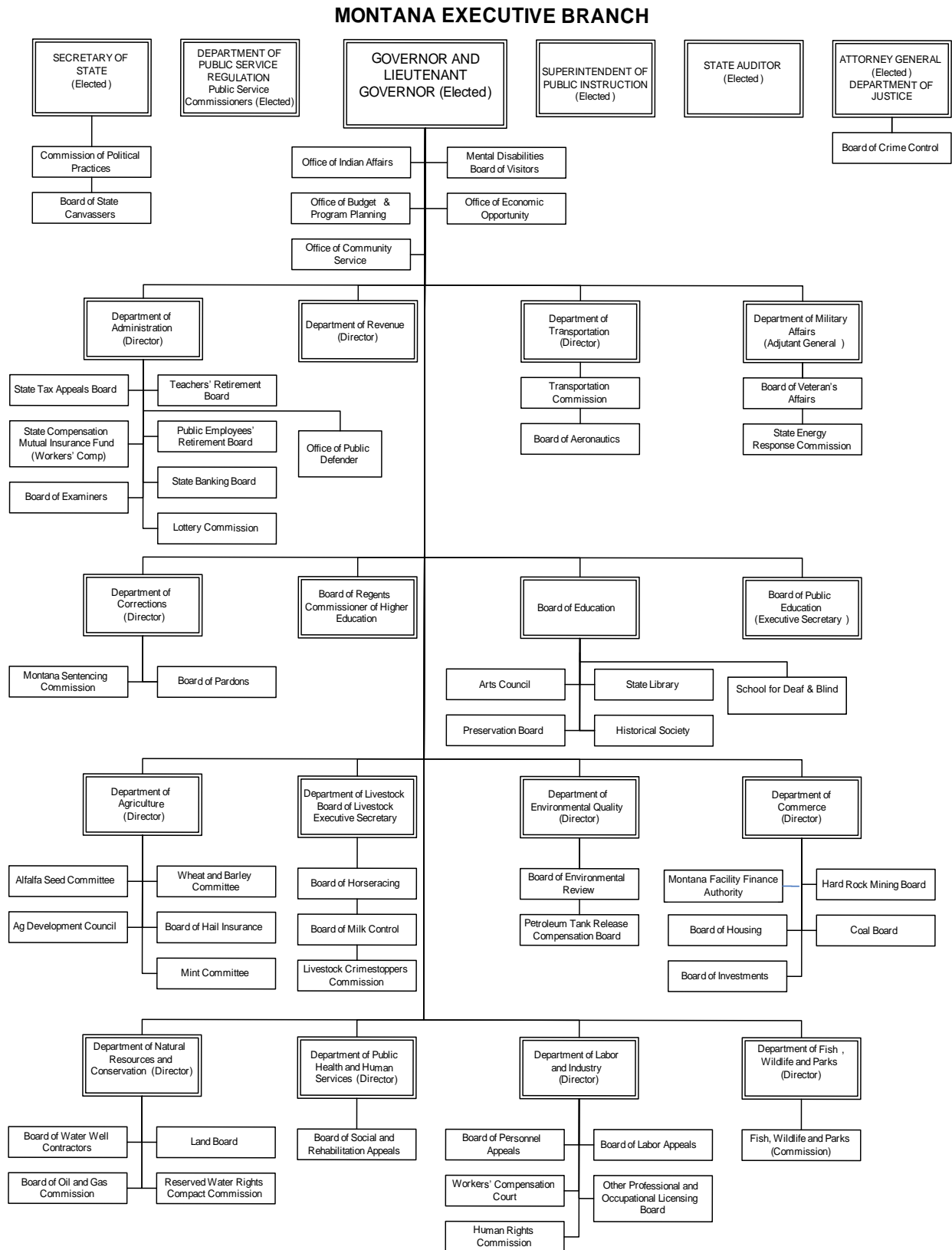
Source: Department of Administration, State Human Resources Division, Statewide Accounting, Budgeting and Human Resources System (SABHRS)

Validity of Collective Bargaining Agreements

The economic agreements reached between the governor and state employee unions, during the executive planning process and prior to the regular legislative session, are contingent upon the legislature's passage and approval of the pay bill. Once those two-year collective bargaining agreements are signed, the legislature may not alter the conditions of those agreements "if such action impermissively impairs the contractual obligation of the state towards those employees."⁹

⁹Montana Legislative Council legal memorandum, State Employee Salaries and Collective Bargaining – Legislative Consideration, May 1986.

Appendix A – Montana Executive Branch Organizational Chart



Appendix B – Executive Branch Comparisons

Comparison of Montana Labor Force to Executive Branch by Race

**Montana Labor Force by Race
2000 U.S. Census Data**

EEO Category	Total	White	%	American Indian or Alaska Native	%	All Other Minorities	%
Officials and Managers	69,755	66,215	94.9%	2,219	3.2%	1,303	1.9%
Professional	75,275	70,280	93.4%	3,135	4.2%	1,852	2.5%
Technicians	9,920	9,205	92.8%	510	5.1%	215	2.2%
Protective Service	7,545	6,185	82.0%	1,103	14.6%	260	3.4%
Paraprofessional	NA	NA	NA	NA	NA	NA	NA
Administrative Support	104,760	96,245	91.9%	5,550	5.3%	2,974	2.8%
Skilled Craft	51,060	47,095	92.2%	2,793	5.5%	1,166	2.3%
Service Maintenance	133,850	119,640	89.4%	9,175	6.9%	5,025	3.8%
Total	454,685	416,635	91.6%	25,175	5.5%	12,852	2.8%

Source: U.S. Census Bureau, Census 2000 Special Equal Employment Opportunity Tabulation

**Executive Branch Employees by Race
November 2009**

EEO Category	Total	White	%	American Indian or Alaska Native	%	All Other Minorities	%
Officials and Managers	801	762	95.1%	7	0.9%	9	1.1%
Professionals	6070	5528	91.1%	135	2.2%	96	1.6%
Technicians	1772	1577	89.0%	28	1.6%	33	1.9%
Protective Service	981	884	90.1%	15	1.5%	22	2.2%
Paraprofessional	460	404	87.8%	19	4.1%	19	4.1%
Administrative Support	462	418	90.5%	9	1.9%	7	1.5%
Skilled Craft	830	765	92.2%	40	4.8%	7	0.8%
Service Maintenance	322	289	89.8%	7	2.2%	8	2.5%
Total	11698	10627	90.8%	260	2.2%	201	1.7%

Source: Department of Administration, State Human Resources Division, Statewide Accounting, Budgeting and Human Resources System (SABHRS)

Note: Table does not include the 610 (5.2%) employees who did not specify their race.

Comparison of Montana Labor Force to Executive Branch by Gender

**Montana Labor Force by Gender
2000 U.S. Census Data**

EEO Category	Total	Women	%	Men	%
Officials and Managers	69,755	25,055	35.9%	44,682	64.1%
Professional	75,275	41,964	55.7%	33,303	44.2%
Technicians	9,920	5,953	60.0%	3,977	40.1%
Protective Service	7,545	1,451	19.2%	6,097	80.8%
Paraprofessional	NA	NA	NA	NA	NA
Administrative Support	104,760	74,380	71.0%	30,389	29.0%
Skilled Craft	51,060	2,666	5.2%	48,388	94.8%
Service Maintenance	133,850	59,510	44.5%	74,330	55.5%
Total	454,685	212,203	46.7%	242,459	53.3%

Source: U.S. Census Bureau, Census 2000 Special Equal Employment Opportunity Tabulation

**Executive Branch Employees by Gender
November 2009**

EEO Category	Total	Women	Percent	Men	Percent
Officials and Administrators	801	305	38.1%	496	61.9%
Professionals	6070	3204	52.8%	2866	47.2%
Technicians	1772	1335	75.3%	437	24.7%
Protective Service	981	150	15.3%	831	84.7%
Paraprofessionals	460	290	63.0%	170	37.0%
Administrative Support	462	392	84.8%	70	15.2%
Skilled Craft	830	28	3.4%	802	96.6%
Service Maintenance	322	132	41.0%	190	59.0%
Total	11698	5836	49.9%	5862	50.1%

Source: Department of Administration, State Human Resources Division, Statewide Accounting, Budgeting and Human Resources System (SABHRS)

Executive Branch – 2009 New Hires by Race and Gender

New Hires by Race November 2009

EEO Category	Total	White	%	American Indian or Alaska Native	%	All Other Minorities	%
Officials and Managers	16	15	93.8%	0	0.00%	0	0.00%
Professional	400	368	92.0%	14	3.50%	11	2.75%
Technicians	140	130	92.9%	5	3.57%	3	2.14%
Protective Service	94	88	93.6%	2	2.13%	3	3.19%
Paraprofessional	86	72	83.7%	8	9.30%	6	6.98%
Administrative Support	44	41	93.2%	0	0.00%	2	4.55%
Skilled Craft	19	18	94.7%	1	5.26%	0	0.00%
Service Maintenance	28	25	89.3%	1	3.57%	2	7.14%
Total	827	757	91.5%	31	3.75%	27	3.26%

Source: Department of Administration, State Human Resources Division, Statewide Accounting, Budgeting and Human Resources System (SABHRS)

Note: Table does not include the 12 (1.5%) new employees who did not specify their race.

New Hires by Gender November 2009

EEO Category	Total	Women	%	Men	%
Officials and Managers	16	5	31.3%	11	68.8%
Professional	400	232	58.0%	168	42.0%
Technicians	140	88	62.9%	52	37.1%
Protective Service	94	24	25.5%	70	74.5%
Paraprofessional	86	62	72.1%	24	27.9%
Administrative Support	44	34	77.3%	10	22.7%
Skilled Craft	19	0	0.0%	19	100.0%
Service Maintenance	28	15	53.6%	13	46.4%
Total	827	460	55.6%	367	44.4%

Source: Department of Administration, State Human Resources Division, Statewide Accounting, Budgeting and Human Resources System (SABHRS)

Executive Branch – Five-Year Comparison by Race and Gender

American Indian or Alaska Native by EEO Category Five-Year Comparison November 2009

	2005		2006		2007		2008		2009 (Nov)	
EEO Category	No.	%	No.	%	No.	%	No.	%	No.	%
Officials and Managers	6	0.70%	8	1.00%	6	0.80%	6	0.80%	7	0.87%
Professional	92	1.70%	98	1.80%	122	2.10%	130	2.20%	135	2.22%
Technicians	31	1.90%	27	1.70%	33	1.90%	29	1.60%	28	1.58%
Protective Service	15	1.80%	15	1.80%	15	1.70%	17	1.80%	15	1.53%
Paraprofessional	14	3.10%	16	3.60%	12	2.70%	12	2.60%	19	4.13%
Administrative Support	10	1.70%	10	1.70%	10	1.90%	12	2.60%	9	1.95%
Skilled Craft	34	4.00%	33	3.90%	32	3.90%	31	3.80%	40	4.82%
Service Maintenance	8	2.20%	4	1.20%	3	1.00%	3	0.90%	7	2.17%
Total	210	1.90%	211	1.90%	233	2.10%	240	2.10%	260	2.22%

Source: Department of Administration, State Human Resources Division, Statewide Accounting, Budgeting and Human Resources System (SABHRS)

All Other Minorities by EEO Category Five-Year Comparison November 2009

	2005		2006		2007		2008		2009 (Nov)	
EEO Category	No.	%	No.	%	No.	%	No.	%	No.	%
Officials and Managers	10	1.20%	9	1.10%	9	1.10%	7	0.90%	9	1.1%
Professional	65	1.20%	70	1.30%	78	1.40%	86	1.50%	96	1.6%
Technicians	24	1.50%	29	1.80%	26	1.50%	28	1.50%	33	1.9%
Protective Service	10	1.20%	12	1.40%	14	1.60%	21	2.30%	22	2.2%
Paraprofessional	15	3.40%	12	2.70%	16	3.60%	15	3.30%	19	4.1%
Administrative Support	15	2.60%	15	2.60%	12	2.30%	8	1.70%	7	1.5%
Skilled Craft	6	0.70%	6	0.70%	5	0.60%	5	0.60%	7	0.8%
Service Maintenance	9	2.50%	9	2.80%	10	3.20%	10	3.10%	8	2.5%
Total	154	1.40%	162	1.50%	170	1.50%	180	1.60%	201	1.7%

Source: Department of Administration, State Human Resources Division, Statewide Accounting, Budgeting and Human Resources System (SABHRS)

**Females by EEO Category
Five-Year Comparison
November 2009**

	2005		2006		2007		2008		2009 (Nov)	
EEO Category	No.	%	No.	%	No.	%	No.	%	No.	%
Officials and Managers	263	32.40%	274	33.40%	260	32.60%	277	36.00%	305	38.07%
Professional	2,722	51.10%	2,778	50.90%	2,922	51.00%	2,969	51.10%	3,204	52.78%
Technicians	1,172	73.30%	1,172	74.60%	1,329	76.90%	1,395	76.30%	1,335	75.33%
Protective Service	103	12.50%	114	13.40%	121	13.50%	144	15.60%	150	15.29%
Paraprofessional	272	60.90%	269	61.00%	289	64.70%	298	65.50%	290	63.04%
Administrative Support	511	87.80%	506	87.70%	446	86.60%	399	85.10%	392	84.84%
Skilled Craft	30	3.50%	33	3.90%	26	3.20%	29	3.50%	28	3.37%
Service Maintenance	122	34.10%	118	36.80%	109	34.90%	121	37.10%	132	40.99%
Total	5,195	48.10%	5,264	48.30%	5,502	48.90%	5,632	49.40%	5,836	49.89%

Source: Department of Administration, State Human Resources Division, Statewide Accounting, Budgeting and Human Resources System (SABHRS)

Executive Branch – Average Salary by Race and Gender November 2009

Average Salary by Race November 2009

	White		American Indian or Alaska Native		All Other Minorities	
EEO Category	Hourly	Annual	Hourly	Annual	Hourly	Annual
Officials and Managers	\$33.50	\$69,680.00	\$33.65	\$69,992.00	\$30.61	\$63,668.80
Professional	\$22.77	\$47,361.60	\$19.64	\$40,851.20	\$21.45	\$44,616.00
Technicians	\$14.49	\$30,139.20	\$14.10	\$29,328.00	\$13.74	\$28,579.20
Protective Service	\$17.90	\$37,232.00	\$17.06	\$35,484.80	\$16.97	\$35,297.60
Paraprofessional	\$11.98	\$24,918.40	\$11.15	\$23,192.00	\$11.59	\$24,107.20
Administrative Support	\$13.04	\$27,123.20	\$11.73	\$24,398.40	\$11.70	\$24,336.00
Skilled Craft	\$19.12	\$39,769.60	\$19.38	\$40,310.40	\$16.90	\$35,152.00
Service Maintenance	\$14.14	\$29,411.20	\$9.91	\$20,612.80	\$12.74	\$26,499.20

Source: Department of Administration, State Human Resources Division, Statewide Accounting, Budgeting and Human Resources System (SABHRS)

Average Salary by Gender November 2009

	Women		Men	
EEO Category	Hourly	Annual	Hourly	Annual
Officials and Managers	\$31.99	\$66,539.20	\$34.25	\$71,240.00
Professional	\$21.09	\$43,867.20	\$24.32	\$50,585.60
Technicians	\$14.11	\$29,348.80	\$15.36	\$31,948.20
Protective Service	\$15.50	\$32,240.00	\$18.23	\$37,918.40
Paraprofessional	\$11.77	\$24,481.60	\$12.17	\$25,313.60
Administrative Support	\$13.00	\$27,040.00	\$12.41	\$25,812.80
Skilled Craft	\$16.76	\$34,860.80	\$19.15	\$39,832.00
Service Maintenance	\$10.66	\$22,172.80	\$16.21	\$33,716.80

Source: Department of Administration, State Human Resources Division, Statewide Accounting, Budgeting and Human Resources System (SABHRS)

Appendix C – Employee Data by Agency

Employees by Agency, Average Age, and Average Years of Service November 2009

Agency	Employees	Average Age	Years of Service
Administration	546	48	11.60
Agriculture	94	45	10.51
Board of Public Education	3	39	7.94
Commerce	182	47	11.34
Department of Corrections	1318	45	10.11
Environmental Quality	431	47	11.15
Fish, Wildlife, & Parks	637	46	14.00
Governor's Office	34	46	11.18
Justice	744	45	12.40
Labor & Industry	760	50	12.23
Livestock	136	48	13.27
Military Affairs	207	47	9.68
Montana Arts Council	12	51	8.97
Montana Historical Society	62	50	12.19
Montana State Library	34	49	12.52
Natural Resources & Conservation	497	48	13.35
Office of Public Instruction	158	51	12.14
Office of the Public Defender	185	43	5.11
Political Practices	4	32	4.54
Public Health & Human Services	2853	48	12.16
Public Service Commission	30	52	16.41
Revenue	616	47	11.51
School for Deaf and Blind	45	49	10.02
Secretary of State	48	48	11.16
State Auditor	63	49	12.31
Transportation	1999	47	14.08
State of Montana	11698	47	12.15

Source: Department of Administration, State Human Resources Division, Statewide Accounting, Budgeting and Human Resources System (SABHRS)

**Hire and Turnover Rates by Agency
November 2009**

Agency	Hires	Workforce	Hire Rate	Turnover	Workforce	Turnover Rate
Administration	77	546	14.1%	61	546	11.2%
Agriculture	11	94	11.7%	16	94	17.0%
Board of Public Education	0	3	0.0%	0	3	0.0%
Commerce	23	182	12.6%	19	182	10.4%
Department of Corrections	198	1318	15.0%	165	1318	12.5%
Environmental Quality	62	431	14.4%	27	431	6.3%
Fish, Wildlife, & Parks	54	637	8.5%	43	637	6.8%
Governor's Office	3	34	8.8%	2	34	5.9%
Justice	50	744	6.7%	56	744	7.5%
Labor & Industry	77	760	10.1%	73	760	9.6%
Livestock	12	136	8.8%	12	136	8.8%
Military Affairs	31	207	15.0%	13	207	6.3%
Montana Arts Council	1	12	8.3%	0	12	0.0%
Montana Historical Society	3	62	4.8%	6	62	9.7%
Montana State Library	1	34	2.9%	4	34	11.8%
Natural Resources & Conservation	39	497	7.8%	36	497	7.2%
Office of Public Instruction	16	158	10.1%	16	158	10.1%
Office of the Public Defender	37	185	20.0%	32	185	17.3%
Political Practices	0	4	0.0%	0	4	0.0%
Public Health & Human Services	366	2853	12.8%	375	2853	13.1%
Public Service Commission	0	30	0.0%	0	30	0.0%
Revenue	36	616	5.8%	47	616	7.6%
School for Deaf and Blind	4	45	8.9%	7	45	15.6%
Secretary of State	5	48	10.4%	7	48	14.6%
State Auditor	10	63	15.9%	5	63	7.9%
Transportation	40	1999	2.0%	119	1999	6.0%
State of Montana	1156	11698	9.9%	1141	11698	9.8%

Source: Department of Administration, State Human Resources Division, Statewide Accounting, Budgeting and Human Resources System (SABHRS)

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